



Request for City Council Committee Action from the Department of Community Planning & Economic Development - Planning Division

Date: April 17, 2014

To: Council Member Lisa Bender, Chair, Zoning & Planning Committee and Members of the Committee

Referral to: Zoning & Planning Committee

Subject: Appeal of the Heritage Preservation Commission's March 18, 2014, action to deny the Demolition of a Historic Resource application for 2320 Colfax Avenue South, establish interim protection, and direct the Planning Director to prepare or cause to be prepared a designation study.

Recommendation: Notwithstanding staff recommendation, the Heritage Preservation Commission denied the Demolition of a Historic Resource application for 2320 Colfax Avenue South, established interim protection, and directed the Planning Director to prepare or cause to be prepared a designation study, on March 18, 2014.

Previous Directives: N/A

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Approved by: Hilary Dvorak, Principal Planner, (612) 673-2639

Presenters in Committee: John Smoley, Ph.D., City Planner, (612) 673-2830

Financial Impact

- No financial impact

Community Impact

- Neighborhood Notification: The Lowry Hill East Neighborhood Association and property owners within 350 feet of 2320 Colfax Avenue South were notified of the Zoning and Planning Committee meeting by letter on April 7, 2014.
- City Goals: See staff report
- Comprehensive Plan: See staff report
- Zoning Code: See staff report
- End of 60-120-day decision period: April 19, 2014 / June 18, 2014

Background/Supporting Information

On September 12, 2012, Pete Keely submitted an application for a historic review letter for the subject property. On September 25, 2012, CPED issued a letter (Attachment 2), noting that the property did not meet the definition of a historic resource, confirming the findings of a 2008 reconnaissance survey of the Loring Park, Elliot Park, and Lowry Hill East neighborhoods.

On February 26, 2013, Doboszinski and Sons, Incorporated submitted a Wrecking/Moving application for the residence at 2320 Colfax Avenue South. On March 8, 2013, CPED signed off on the permit, reaffirming that the subject property did not meet the Heritage Preservation Regulations' definition of a historic resource.

On March 15, 2013, Anders Christensen submitted an Appeal of the Planning Director's determination that 2320 Colfax Avenue South did not meet the Heritage Preservation Regulations' definition of a historic resource. Notwithstanding staff recommendation, the Heritage Preservation Commission granted the appeal of the Planning Director's determination which stated that 2320 Colfax Avenue South did not meet the Heritage Preservation Regulations' definition of a historic resource on the contention that the property exemplified the work of a master builder and architect, Theron Potter Healy, in an 8-2 vote at their April 16, 2013, meeting.

On April 18, 2013, Michael Crow, the property owner of 2320 Colfax Avenue South, submitted an Appeal of the Heritage Preservation Commission's determination that 2320 Colfax Avenue South meets the Heritage Preservation Regulations' definition of a historic resource. The appeal of this determination was heard and denied by the Zoning and Planning Committee and full City Council on May 21, 2013, and May 24, 2013, respectively. At that time, staff informed Doboszinski and Sons, Incorporated and Michael Crow that demolition of the subject property could not occur without review and approval of a Demolition of a Historic Resource application by the Heritage Preservation Commission.

On February 18, 2014, Michael Crow submitted a complete Demolition of a Historic Resource application for the subject property. Notwithstanding staff recommendation, the Heritage Preservation Commission denied the Demolition of a Historic Resource application for 2320 Colfax Avenue South, established interim protection, and directed the Planning Director to prepare or cause to be prepared a designation study, in a 5-3 vote at their March 18, 2014, meeting.

On March 24, 2014, Michael Crow submitted an Appeal of the Heritage Preservation Commission's March 18, 2014, action to deny the demolition of 2320 Colfax Avenue South, establish interim protection, and direct the Planning Director to prepare or cause to be prepared a designation study. CPED has withheld issuance of the Wrecking/Moving application pending the results of this appeal. The CPED staff report is attached, as are statements submitted by the appellant.

Supporting Material

- A. March 24, 2014, HPC Staff Report with Attachments
- B. Public Comment
- C. March 24, 2014, HPC Meeting Minutes
- D. Statements Submitted by Appellant